

**ORDINANCE NO. 980430-P**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE ON APPROXIMATELY 450 ACRES OF LAND OUT OF THE ALEXANDER WALTERS SURVEY NO. 67, IN TRAVIS COUNTY, TEXAS, FROM "LI" LIMITED INDUSTRIAL DISTRICT AND "LI-PDA" LIMITED INDUSTRIAL SERVICES DISTRICT-PLANNED DEVELOPMENT AREA COMBINING DISTRICT DEVELOPMENT RESERVE DISTRICT TO "LI-PDA" LIMITED INDUSTRIAL SERVICES DISTRICT-PLANNED DEVELOPMENT AREA COMBINING DISTRICT, GENERALLY KNOWN AS THE DELL-PARMER NORTH DEVELOPMENT, LOCALLY KNOWN AS 301 EAST HOWARD LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the respective base zoning districts on the property (the "Property") described in File C14-98-0032, as follows:

Tract 1: From "LI" Limited Industrial district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

150.576 acre tract of land out of the Thomas C. Collins Survey No. 61, Travis County, Texas, SAVE & EXCEPT a 0.099 acre parcel for R.O.W. recorded in Volume 12735, Page 1961, of the Real property Records of Travis County, Texas, the remaining 150.477 tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

Tract 2: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

32.485 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance

Tract 3: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

33.342 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance,

Tract 4: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

33.346 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "D" incorporated into this ordinance,

Tract 5: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area combining district.

56.495 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "E" incorporated into this ordinance,

Tract 6: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area

135.075 acre tract of land out of the Alexander Walters Survey No. 67 and the Menucan Hunt Survey No. 88, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "F" incorporated into this ordinance,

Tract 7: From "LI-PDA" Limited Industrial Services district-Planned Development Area combining district to "LI-PDA" Limited Industrial Services district-Planned Development Area

10.721 acre tract of land out of the Alexander Walters Survey No. 67, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "G" incorporated into this ordinance,

generally known as the Dell-Parmer North Development, locally known as 301 East Howard Lane, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "H".

**PART 2.** The Property within the boundaries of the Planned Development Area combining district established by this ordinance shall conform to the site development standards as set forth in the "Site Development Standards" attached as Exhibit "I" to this ordinance.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the "LI" Limited Industrial Services base district and other applicable requirements of the Land Development Code.

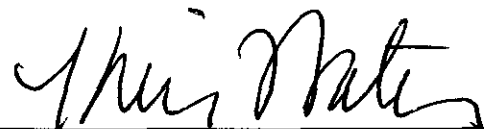
**PART 3.** The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 4.** This ordinance takes effect on May 11, 1998.

**PASSED AND APPROVED**

April 30, 1998.

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§  
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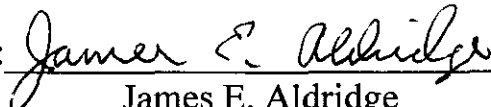
Kirk Watson  
Mayor

APPROVED:



Andrew Martin  
City Attorney

ATTEST:



James E. Aldridge  
City Clerk

# 1

## FIELDNOTE DESCRIPTION

BEING a 150.576 acre tract of land out of the Thomas C. Collins Survey No. 61 in Travis County, Texas and being a portion of that certain 267.278 acre tract described in Vol. 7779, page 388 Deed Records of said county, **SAVE & EXCEPT** that 0.099 Acre parcel of land for R.O.W. Acquisition recorded in Volume 12735, Page 1961 of the Real Property Records of Travis County, Texas, a remaining 150.477 acre tract being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found in the South Right-of-Way line of West Dessau Road according to a Street Deed recorded in Volume 10247, Page 296 R.P.R.T.C.T. (1.66 acre tract to City of Austin for street widening), a 1/2 inch iron rod was found for reference marking the Northeast corner of said 267.278 acre tract and situated N 30° 03' 36" E, a distance of 66.50 feet;

**THENCE** departing said Right-of-Way line, along or near the East line of said Thomas C. Collins Survey and the West line of the Alexander Walters Survey and the general line of a barbed wire fence, the following two (2) calls:

South 30° 03' 36" West, a distance of 2,598.25 feet to a 1/2 inch iron rod found for corner at a fence intersection for angle point;

South 29° 56' 55" West, a distance of 2,129.86 feet to a 1/2 inch iron rod (with TxD.O.T. Aluminum cap ) found for corner in the curving North Right-of-Way line of Parmer Lane (Farm-Market Road # 734 - 200' wide) as set forth in a Community Facilities contract between the City of Austin and Airpark Associates dated Sept. 20, 1984 and from said iron rod a 1 1/4 inch iron pipe was (previously) found for reference marking the Southeast corner of said 267.278 acre tract bearing S 29° 56' 55" W, a distance of 33.95 feet;

**THENCE** along the said North Right-of-Way line of Parmer Lane the following Three (3) calls:

along a circular curve to the left having a radius of 2,009.86 feet through a central angle of 09° 53' 30", an arc length of 346.98 feet, a chord bearing North 83° 25' 39" West a chord distance of 346.55 feet to a 1/2 inch iron rod (with TxD.O.T. aluminum cap) found for the Point of Tangency to said curve;

North 88° 25' 30" West, a distance of 27.31 feet to a 1/2 inch iron rod ( with TxD.O.T. aluminum cap) found for a Point of curvature of a non-tangent, circular curve to the left having a radius of 2,496.19 feet;

along said circular curve to the left, Chord bearing North 85° 16' 14" West, a chord distance of 83.14 feet to a 1/2 inch iron rod found for the Southeast corner of a 2.256 acre L.C.R.A. "substation" tract as described in Vol. 9790, Page 985 R.P.R.T.C.T.;

**THENCE** departing said North R.O.W. line of proposed Parmer Lane, along the East then North line of said 2.256 acre L.C.R.A. tract the following four (4) calls:

EXHIBIT "A"

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150.477 acres continued.....

North 48° 39' 08" East, a distance of 14.06 feet to a 1/2 inch iron rod found for angle point;

North 3° 43' 45" East, a distance of 94.09 feet to a 1/2 inch iron rod found for angle point;

North 42° 41' 03" West, a distance of 14.07 feet to a 1/2 inch iron rod found for angle point;

North 86° 13' 44" West, a distance of 328.93 feet to a 1/2 inch iron rod found for corner;

THENCE departing the North line of said L.C.R.A. tract, across the said 267.278 acre tract the following three (3) calls:

North 2° 50' 25" East, a distance of 82.63 feet to a 1/2 inch iron rod found in the Airport's emergency sand pit;

South 87° 08' 52" East, a distance of 299.61 feet to a 1/2 inch iron rod in concrete found for corner;

North 11° 11' 43" East, a distance of 5,122.29 feet to a 1/2 inch iron rod in concrete found for corner in the said South Right-of-Way line of West Dessau Road;

THENCE along the aforementioned new South Right-of-Way line of West Dessau Road the following five (5) calls:

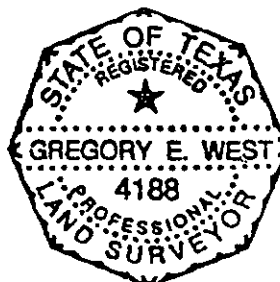
Along a circular curve to the right having a central angle of 4° 43' 00", a radius of 1,456.64 feet, an arc length of 119.91 feet, a chord bearing of South 57° 07' 57" East, a chord distance of 119.88 feet to a 1/2 inch iron rod found for a point of tangency;

South 54° 43' 18" East, a distance of 305.59 feet to a 1/2 inch iron rod found for the point of curvature of a circular curve to the right having a radius of 1,456.64 feet;

Along said circular curve to the right through a central angle of 4° 43' 03", an arc length of 119.95 feet, a chord bearing of South 57° 05' 18" East a chord distance of 119.90 feet to a 1/2 inch iron rod found for the point of tangency;

South 59° 27' 05" East, a distance of 1,255.22 feet to a 1/2 inch iron rod Set for a point of curvature of a circular curve to the right having a radius of 1,678.67 feet;

Along said circular curve to the right through a central angle of 13° 20' 42", an arc length of 390.99 feet, a chord bearing of South 52° 46' 55" East, a chord distance of 390.10 feet to the POINT OF BEGINNING and containing an area of 150.477 Acres of land.



*[Handwritten signature]*  
2-9-98

980430.P

32.485 ACRES  
MARTHA LUCILLE McADAMS VERTREES  
TRACT 2

FN NO. 97-398 (MM)  
SEPTEMBER 18, 1997  
BPI JOB NO. 725-05.92

DESCRIPTION

OF A 32.485 ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE ALEXANDER WALTERS SURVEY NO. 67, SITUATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 32.48 ACRE TRACT CONVEYED TO MARTHA LUCILE McADAMS VERTREES BY DEED OF RECORD IN VOLUME 6424, PAGE 325 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 32.485 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the northwesterly corner of that certain 149.591 acre tract known as Parcel 3 conveyed to Ridge Investors Limited by deed of record in Volume 12038, Page 1581 of the Real Property Records of Travis County, Texas, being in the easterly line of that certain 150.477 acre tract conveyed to Northpoint Business Park (Austin) PIP, L.P. by deed of record in Volume 12735, Page 1954 of said Real Property Records, same being the southwesterly corner of said 32.48 acre tract;

THENCE, N29°43'18"E, along the easterly line of said 150.477 acre tract, being the westerly line of said 32.48 acre tract, a distance of 2772.01 feet to a 1/2 inch iron rod found in the curving southerly right-of-way line of Dessau Road (R.O.W. varies), being the northeasterly corner of said 150.477 acre tract, same being the northwesterly corner of said 32.48 acre tract;

THENCE, along the southerly line of Dessau Road, being the northerly line of said 32.48 are tract the following two (2) courses and distances:

- 1) Along a non-tangent curve to the right, having a radius of 636.46 feet, a central angle of 11°34'13", an arc distance of 128.53 feet, and a chord which bears S39°08'07"E, a distance of 128.31 feet to a 1/2 inch iron rod found at the point of tangency;
- 2) S34°39'56"E, a distance of 458.51 feet to a 1/2 inch iron rod found at the northwesterly corner of that certain 33.34 acre tract of land conveyed to Martha Lucile McAdams Vertrees, et. al. by deed of record in Volume 8495, Page 747 of said Deed Records, being the northeasterly corner of said 32.48 acre tract, from which a 1/2 inch iron rod found in the northerly line of said 33.34 are tract bears S34°39'56"E, a distance of 427.84 feet;

THENCE, S29°43'02"W, leaving the southerly line of Dessau Road, along the westerly line of said 33.34 acre tract, being the easterly line of said 32.48 acre tract, a distance of 2525.92 feet to a 1/2 inch iron rod found in the northerly line of said Parcel 3, being the southeasterly corner of said 32.48 acre tract;

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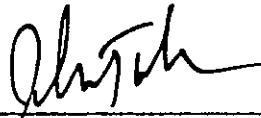
EXHIBIT "B"

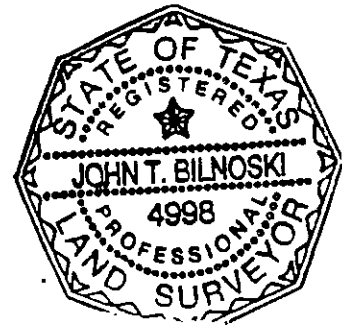
FN 97-398 (MM)  
SEPTEMBER 18, 1997  
PAGE 2 OF 2

THENCE, N60°27'00"W, along the northerly line of said Parcel 3, being the southerly line of said 32.48 acre tract, a distance of 533.33 feet to the POINT OF BEGINNING, containing an area of 32.485 acres (1,415,062 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PITTMAN, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD  
SUITE 200  
AUSTIN, TEXAS 78746

  
\_\_\_\_\_  
JOHN T. BILNOSKI, R.P.L.S.      9/18/97      DATE  
NO. 4998  
STATE OF TEXAS



980430-P

3

33.342 ACRES - TRACT 3  
MARTHA LUCILE  
McADAMS VERTREES, ET. AL.

FN NO. 97-399 (MM)  
SEPTEMBER 18, 1997  
BPI JOB NO. 725-05.92

DESCRIPTION

OF A 33.342 ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE ALEXANDER WALTERS SURVEY NO. 67, SITUATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 33.34 ACRE TRACT CONVEYED TO MARTHA LUCILE McADAMS VERTREES, ET. AL. BY DEED OF RECORD IN VOLUME 8495, PAGE 747 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 33.342 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod found in the northerly line of that certain tract of land called Parcel 3 conveyed to Ridge Investors Limited by deed of record in Volume 12038, Page 1581 of the Real Property Records of Travis County, Texas, being the southeasterly corner of that certain 32.48 acre tract conveyed to Martha Lucile McAdams Vertrees by deed of record in Volume 6424, Page 325 of said Deed Records, same being the southwesterly corner of said 33.34 acre tract, from which a 1/2 inch iron rod found in the easterly line of that certain 150.477 acre tract conveyed to Northpoint Business Park (Austin) PIP, L.P. by deed of record in Volume 12735, Page 1954 of said Real Property Records, same being the northwesterly corner of said Parcel 3, and also being the southwesterly corner of said 32.48 acre tract bears, N60°27'00"W, a distance of 533.33 feet;

**THENCE**, N29°43'02"E, along the easterly line of said 32.48 acre tract, being the westerly line of said 33.34 acre tract, a distance of 2525.92 feet to a 1/2 inch iron rod found in the southerly right-of-way line of Dessau Road (R.O.W. varies), being the northeasterly corner of said 32.48 acre tract, same being the northwesterly corner of said 33.34 acre tract;

**THENCE**, along the southerly line of Dessau Road, being the northerly line of said 33.34 acre tract, the following Two (2) courses and distances:

- 1) S34°39'56"E, a distance of 427.84 feet to a 1/2 inch iron rod found at the point of curvature of a non-tangent curve to the left;
- 2) Along said non-tangent curve to the left, having a radius of 1088.37 feet, a central angle of 12°31'02", an arc distance of 237.77 feet and a chord which bears S40°53'32"E, a distance of 237.30 feet to a 1/2 inch iron rod found at the northwesterly corner of that certain tract of land conveyed to Muecke-McAdams Texas, Ltd. by deed of record in Volume 12963, Page 243 of said Real Property Records, being the northeasterly corner of said 33.34 acre tract;

EXHIBIT "C"

980430-P.



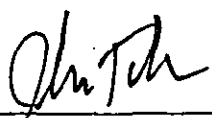
THENCE, S29°42'54"W, leaving the southerly line of Dessau Road, along the westerly line of said Muecke-McAdams Texas, Ltd. Tract, being the easterly line of said 33.34 acre tract, a distance of 2259.27 feet to a 1/2 inch iron rod found in the northerly line of said Parcel 3, being the southwesterly corner of said Muecke-McAdams Texas, Ltd. tract, same being the southeasterly corner of said 33.34 acre tract;

THENCE, along the northerly line of said Parcel 3, being the southerly line of said 33.34 acre tract, the following two (2) courses and distances:

- 1) N60°49'23"W, a distance of 171.55 feet to a 1 inch iron pipe found for an angle point;
- 2) N60°27'00"W, a distance of 438.17 feet to the POINT OF BEGINNING containing an area of 33.342 acres (1,452,390 sq. ft.) of land, more or less within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PITTMAN, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD  
SUITE 200  
AUSTIN, TEXAS 78746

  
JOHN T. BILNOSKI, R.P.L.S. DATE 9/18/97  
NO. 4998  
STATE OF TEXAS



980430-P

4

33.346 ACRES  
MUECKE-McADAMS TEXAS, LTD.

FN NO. 97-400 (MM)  
SEPTEMBER 18, 1997  
BPI JOB NO. 725-05.92

# DESCRIPTION

OF A 33.346 ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE ALEXANDER WALTERS SURVEY NO. 67, SITUATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 33.34 ACRE TRACT CONVEYED TO MUECKE-McADAMS TEXAS, LTD. BY DEED OF RECORD IN VOLUME 12963, PAGE 243 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 33.346 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the northerly line of that certain tract of land called Parcel 3 conveyed to Ridge Investors Limited by deed of record in Volume 12038, Page 1581 of said Real Property Records, being the southeasterly corner of that certain tract of land conveyed to Martha Lucile McAdams Vertrees, Et. Al. by deed of record in Volume 8495, Page 747 of the Deed Records of Travis County, Texas, same being the southwesterly corner of said 33.34 acre tract;

THENCE, N29°42'54"E, along the easterly line of said McAdams Vertrees tract, being the westerly line of said 33.34 acre tract, a distance of 2259.27 feet to a 1/2 inch iron rod found in the curving southerly right-of-way line of Dessau Road (R.O.W. varies), being the northeasterly corner of said McAdams Vertrees tract, same being the northwesterly corner of said 33.34 acre tract;

THENCE, along the southerly line of Dessau Road, being the northerly line of said 33.34 acre tract, the following two (2) courses and distances:

- 1) Along a non-tangent curve to the left, having a radius of 1088.37 feet, a central angle of 12°52'54", an arc distance of 244.70 feet and a chord which bears S53°35'30"E, a distance of 244.18 feet to a 1/2 inch iron rod set at the point of tangency of said curve;
- 2) S60°00'57"E, a distance of 409.90 feet to a 1/2 inch iron rod found at the northwesterly corner of that certain 56.51 acre tract conveyed to McAdams Properties, Ltd. by deed of record in Volume 12335, Page 136 of said Real Property Records, being the northeasterly corner of said 33.34 acre tract;

THENCE, S29°43'23"W, leaving the southerly line of Dessau Road, along the westerly line of said 56.51 acre tract, being the easterly line of said 33.34 acre tract, a distance of 2222.77 feet to a 1/2 inch iron rod found in the northerly line of said Parcel 3, being the southwesterly corner of said 56.51 acre tract, same being the southeasterly corner of said 33.34 acre tract;

EXHIBIT "D"

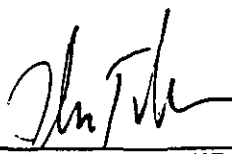
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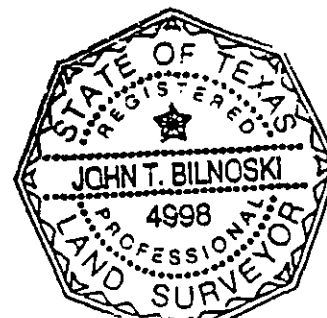
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THENCE, N60°49'23"W, along the northerly line of said Parcel 3, being the southerly line of said 33.34 acre tract, a distance of 651.03 feet to the POINT OF BEGINNING, containing an area of 33.346 acres (1,452,534 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PITTMAN, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD  
SUITE 200  
AUSTIN, TEXAS 78746

  
JOHN T. BILNOSKI, R.P.L.S. DATE 9/18/97  
NO. 4998  
STATE OF TEXAS



980430-P

5

56.495 ACRES  
McADAMS PROPERTIES, LTD.  
TRACT 5

FN NO. 97-401 (MM)  
SEPTEMBER 18, 1997  
BPI JOB NO. 725-05.92

DESCRIPTION

OF A 56.495 ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE ALEXANDER WALTERS SURVEY NO. 67, SITUATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 56.51 ACRE TRACT CONVEYED TO McADAMS PROPERTIES, LTD. BY DEED OF RECORD IN VOLUME 12335, PAGE 136 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 56.495 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the northerly line of that certain tract of land called Parcel 3 conveyed to Ridge Investors Limited by deed of record in Volume 12038, Page 1581 of the Real Property Records of Travis County, Texas, being the southeasterly corner of that certain 33.34 acre tract conveyed to Muecke-McAdams Texas, Ltd. by deed of record in Volume 12963, Page 243 of said Real Property Records, same being the southwesterly corner of said 56.51 acre tract;

THENCE, N29°43'23"E, along the easterly line of said 33.34 acre tract, being the westerly line of said 56.51 acre tract, a distance of 2222.77 feet to a 1/2 inch iron rod found in the southerly line of Dessau Road (R.O.W. varies), being the northeasterly corner of said 33.34 acre tract, same being the northwesterly corner of said 56.51 acre tract;

THENCE, along the southerly line of Dessau Road, being the northerly line of said 56.51 acre tract the following two (2) courses and distances:

- 1) S60°00'57"E, a distance of 786.24 feet to a 1/2 inch iron rod found at the point of curvature of a non-tangent curve to the right;
- 2) Along said non-tangent curve to the right, having a radius of 424.98 feet, a central angle of 25°56'57", an arc distance of 192.47 feet and a chord which bears S47°45'47"E, a distance of 190.83 feet to a 1/2 inch iron rod found at the most northwesterly corner of that certain tract of land called Parcel 4 conveyed to Ridge Investors Limited by deed of record in Volume 12038, Page 1581 of said Real Property Records, same being the northeasterly corner of said 56.51 acre tract;

EXHIBIT "E"

980430-P

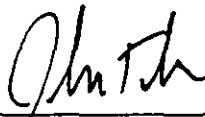
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THENCE, S22°14'40"W, leaving the southerly line of Dessau Road, along the westerly line of said Parcel 4, being the easterly line of said 56.51 acre tract, a distance of 2184.44 feet to a 1/2 inch iron rod set, being an angle point in the westerly line of that certain tract of land called Parcel 2, Tract 2 conveyed to Ridge Investors Limited by deed of record in Volume 12038, Page 1581, of said Real Property Records, being the northeasterly corner of said Parcel 3, same being the most southwesterly corner of said Parcel 4, same being the southeasterly corner of said 56.51 acre tract ;

THENCE, N60°49'23"W, along the northerly line of said Parcel 3, being the southerly line of said 56.51 acre tract, a distance of 1256.91 feet to the POINT OF BEGINNING, containing an area of 56.495 acres (2,460,942 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PITTMAN, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD  
SUITE 200  
AUSTIN, TEXAS 78746

  
\_\_\_\_\_  
JOHN T. BILNOSKI, R.P.L.S.      9/18/97      DATE  
NO. 4998  
STATE OF TEXAS



980430-P

A DESCRIPTION OF 135.075 ACRES OF LAND OUT OF THE ALEXANDER WALTERS SURVEY NO. 67 AND THE MENUKAN HUNT SURVEY NO. 88 IN TRAVIS COUNTY, TEXAS, SAID 135.075 ACRES BEING ALL OF THAT CERTAIN 23.099 ACRE TRACT (CALLED PARCEL 4), AND ALL OF THAT CERTAIN 1.537 ACRE TRACT (CALLED PARCEL 2, TRACT 2), A 108.952 ACRE PORTION OF THAT CERTAIN 149.591 ACRE TRACT OF LAND (CALLED PARCEL 3) AS CONVEYED TO RIDGE INVESTORS LIMITED BY DEED RECORDED IN VOLUME 12038, PAGE 1581 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND THAT CERTAIN 1.181 ACRE TRACT AND 0.306 ACRE TRACT CONVEYED TO RIDGE INVESTORS LIMITED BY DEED RECORDED IN VOLUME 13059, PAGE 0386 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 135.075 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found for the northwest corner of the original 149.591 acre tract, same being the southwest corner of that certain 32.48 acre tract conveyed to Martha Lucile McAdams by deed recorded in Volume 6424, Page 325 of the Deed Records of Travis County, Texas, same also being in the west line of that certain 150.576 acre tract conveyed to Harris Ridge Joint Venture by deed recorded in Volume 11811, Page 1447 of the Real Property Records of Travis County, Texas;

THENCE with the north line of the herein described tract and the south line of the said 32.48 acre tract, S60°36'14"E, a distance of 533.25 feet to a 1/2-inch iron rod found at the southeast corner of the said 32.48 acre tract, same being the southwest corner of that certain 33.34 acre tract of land referred to as "Tract 1" as recorded in Volume 8495, Page 747 of the Deed Records of Travis County, Texas;

THENCE continuing with the north line of the herein described tract and the south line of the said "Tract 1", the following two (2) calls:

1. S60°46'44"E, 378.17 feet to a 3/4-inch iron pipe found,
2. S60°30'26"E, 231.57 feet to a 1/2-inch iron rod found for the southeast corner of the said "Tract 1", same being the southwest corner of that certain 33.34 acre tract of land conveyed to Huebert O. Mueke, et al by deed recorded in said Volume 12592, Page 1279 of the Real Property Records of Travis County, Texas;

THENCE continuing along the north line of the herein described tract, and the south line of said 33.34 acre tract the following two (2) calls:

1. S60°29'57"E, 454.32 feet to a 1/2-inch galvanized iron pipe found, and
2. S62°00'18"E, 196.78 feet to a 1/2-inch iron rod found at the southeast corner of the said 33.34 acre tract, same being the southwest corner of that certain 56.51 acre tract of land referred to as "Tract 3" as recorded in said Volume 8495, Page 747 of the Deed Records of Travis County, Texas;

THENCE continuing with the north line of the herein described tract and the south line of the said "Tract 3" the following two (2) calls:

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1. S60°32'43"E, 613.29 feet to a 1 and 1/2-inch galvanized iron pipe found, and
2. S61°22'17"E, 643.92 feet to a 1/2-inch iron rod found for the southeast corner of the said "Tract 3", same being on the west line of Krause Lane as vacated on November 25, 1986, by order of the Travis County Commissioner's Court, Cause 11313.

THENCE along the common line between said 56.51 acre tract and that certain 1.73 acre vacated portion of Krause Lane, N22°05'48"E, 2,184.37 feet to a 1/2-inch rod found in the aforementioned curving south line of Dessau Road (ROW Varies);

THENCE along said south line of Dessau Road the following five (5) courses:

1. a distance of 127.47 feet along the arc of said curve to the right having a central angle of 17°45'35", a radius of 411.25 feet and a chord which bears S25°13'45"E, 126.96 feet to a 1/2-inch iron rod found for the end of said curve;
2. S 15°55'22" E a distance of 496.08 feet to a point for corner;
3. S 22°06'14" E a distance of 86.19 feet to a point for corner;
4. S 39°37'17" E a distance of 40.77 feet to a point for corner;
5. S 59°55'15" E a distance of 172.63 feet to a point for corner in the west line of Harris Ridge Boulevard (90' ROW);

THENCE with the west line of Harris Ridge Boulevard the following eight (8) courses:

1. S 28°57'54" W a distance of 24.37 feet to a 1/2-inch iron rod found for the beginning of a curve;
2. a distance of 20.53 feet along the arc of a curve to the right having a central angle of 06°10'35", a radius of 190.43 feet and a chord which bears S31°14'44"W, 20.52 feet to a 1/2-inch iron rod found for the point of tangency of said curve;
3. S29°14'32"W, 68.83 feet to a 1/2-inch iron rod found for the point of curvature of a curve to the left;
4. a distance of 69.04 feet along the arc of a curve to the left having a central angle of 06°07'57", a radius of 645.00 feet and a chord which bears S26°41'05"W, 69.00 feet to a 1/2-inch iron rod found for the end of said curve;
5. S23°31'12"W, 141.43 feet to a 1/2-inch iron rod found for the point of curvature of a curve to the right;
6. a distance of 59.46 feet along the arc of a curve to the right having a central angle of 06°08'17", a radius of 555.00 feet and a chord which bears S26°35'50"W, 59.43 feet to a 1/2-inch iron rod found for the end of said

7. S29°42'53"W a distance of 730.37 feet to a 1/2-inch iron rod found for the point of curvature of a curve to the right;
8. a distance of 1,026.76 feet along the arc of a curve to the right having a central angle of 43°23'38", a radius of 1355.00 feet and a chord which bears S51°26'13"W, 1,002.39 feet to a 1/2-inch iron rod set for the point of tangency said curve;
8. S 73°06'13" W a distance of 271.53 feet to northwest terminus point of existing Harris Ridge Boulevard;

THENCE southwesterly with the proposed extension of said Harris Ridge Boulevard the following two (2) courses:

1. S 73°06'13" W a distance of 356.44 feet to the point of curvature of a curve to the left;
2. a distance of 619.85 feet along the arc of a curve to the left having a central angle of 30°04'56", a radius of 1180.59 feet and a chord which bears S58°03'57"W a distance of 612.75 feet to a 1/2-inch iron rod set for the end of said curve;

THENCE N59°48'56"W, 817.95 feet to a 1/2-inch iron rod set for corner;


THENCE S29°43'06"W, 596.00 feet to a 1/2-inch iron rod set for corner in the existing north line of Parmer Lane (200' ROW);

THENCE westerly along said north line of Parmer Lane the following two (2) courses:

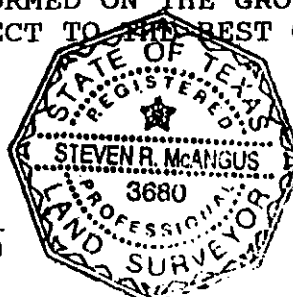
1. N60°01'59"W, 953.86 feet to a Texas Department of Transportation aluminum cap in concrete found for the point of curvature of a curve to the left;
2. 659.99 feet along the arc of a curve to the left having a central angle of 18°48'52", a radius of 2,009.86 feet and a chord bearing N69°23'13"W, 657.02 feet to a 1/2-inch iron rod set for corner in the common line between the aforementioned 149.591 acre tract and 150.576 acre tract;

THENCE N29°31'10"E, along said common line a distance of 2,022.56 feet to the POINT OF BEGINNING of the herein described tract and containing 135.075 acres of land.

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM AN ACTUAL SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



STEVEN R. McANGUS, R.P.L.S. NO. 3680



(The bearings shown herein are referenced to Harris Ridge Phase I, Section II recorded in Vol. 86, Pg. 125A of the Plat Records of Travis County, Texas.)

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7

10.721 ACRES  
LOT 3, BLOCK "A"  
PARMER NORTH SECTION TWO

FN NO. 98-057 (MJJ)  
FEBRUARY 23, 1998  
BPI JOB NO. 725-03.00

DESCRIPTION

OF 10.721 ACRES OF LAND OUT OF THE ALEXANDER WALTERS SURVEY NO. 67 SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT 149.591 ACRE TRACT OF LAND CALLED PARCEL 3 CONVEYED TO RIDGE INVESTORS BY DEED OF RECORD IN VOLUME 12038, PAGE 1581 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 10.721 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a concrete monument found at the point of curvature (Highway Centerline Station 56+38.92, 100' Left) in the northerly line of Parmer Lane (200' R.O.W.), being the southerly line hereof, from which a concrete monument found in the southerly line of Parmer Lane bears S30°07'48"W, a distance of 200.01 feet;

**THENCE**, N59°53'06"W, along the northerly line of Parmer Lane, being the southerly line hereof, a distance of 676.57 feet to a 1/2 inch iron rod set with aluminum cap for the southwesterly corner hereof, from which a 1/2 inch iron rod found bears N12°55'40"E, a distance of 3.10 feet and also from which a concrete monument found in the northerly line of Parmer Lane at the point of tangency of a curve to the right (Highway Centerline Station 40+08.49, 100' Left) bears N59°53'06"W, a distance of 953.86 feet;

**THENCE**, leaving the northerly line of Parmer Lane, over and across said 149.591 acres, the following five (5) courses and distances:

- 1) N29°46'26"E, a distance of 596.09 feet to a 1/2 inch iron rod set with aluminum cap for the northwesterly corner hereof from which a 1/2 inch iron rod found bears N04°39'12"W, a distance of 3.66 feet;
- 2) S59°39'53"E, a distance of 817.95 feet to a 1/2 inch iron rod set with aluminum cap for the point of curvature of a non-tangent curve to the right and the northeasterly corner hereof from which a 1/2 inch iron rod found bears N43°01'36"E, a distance of 4.59 feet;
- 3) Along said non-tangent curve to the right having a radius of 1180.59 feet, a central angle of 10°29'33", an arc length of 216.20 feet and a chord which bears S37°54'45"W, a distance of 215.90 feet to a 1/2 inch iron rod set with aluminum cap for the end of said curve;
- 4) S32°39'58"W, a distance of 356.63 feet to a 1/2 inch iron rod set with aluminum cap for the point of curvature of a curve to the right;

EXHIBIT "G"

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FN 98-057 (MJJ)  
February 23, 1998  
Page 2 of 2

- 5) Along said curve to the right having a radius of 25.00 feet, a central angle of  $89^{\circ}21'15''$ , an arc length of 38.99 and a chord which bears  $S77^{\circ}20'37''W$ , a distance of 35.16 feet to a 1/2 inch iron rod set with aluminum cap in the curving northerly line of Parmer Lane for the southeasterly corner hereof;

THENCE, along the curving northerly line of Parmer Lane, along a curve to the left having a radius of 2009.86 feet, a central angle of  $01^{\circ}54'22''$ , an arc length of 66.86 feet and a chord which bears  $N58^{\circ}55'55''W$ , a distance of 66.86 feet to the POINT OF BEGINNING containing an area of 10.721 acres (467,002 sq. ft.) of land more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON BY A SURVEY PERFORMED ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PITTMAN, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD  
SUITE 200  
AUSTIN, TEXAS 78746

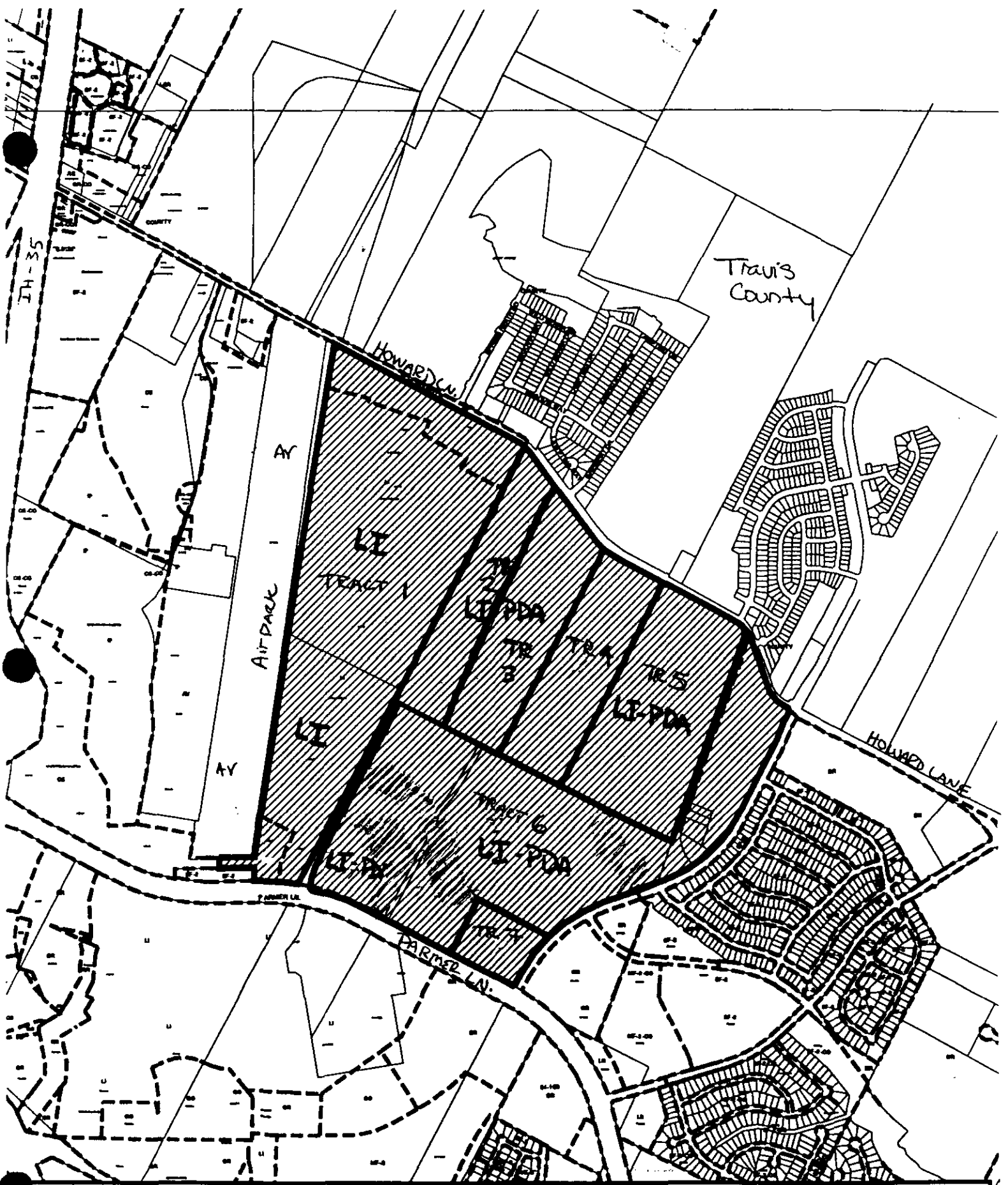
  
\_\_\_\_\_  
JOHN T. BILNOSKI  
R.P.L.S. NO. 4998  
STATE OF TEXAS




2/23/98

DATE



980430-P



SUBJECT TRACT   
 PENDING CASE   
 ZONING BOUNDARY   
 CASE MGR: D.WAHLGREN

**CASE #: C14-98-0032**  
 ADDRESS: 301 E.HOWARD LN.  
 SUBJECT AREA (acres): 450±

# ZONING EXHIBIT "H"

DATE: 98-03  
 INTLS: TRC

CITY GRID  
 REFERENCE  
 NUMBER  
 M34,M35

## SITE DEVELOPMENT STANDARDS

### Section 1. Applicable Site Development Regulations

Development on the Property shall comply with applicable City of Austin regulations as of November 14, 1997, except as modified herein. Development on the Property will occur over time through the submission of multiple site plans.

### Section 2. Authorized Uses

- A. All "LI" Limited Industrial uses are permitted on the Property, except as set forth in Subsection B and C of this section. The following are additional permitted uses:

Crop Production  
Animal Production

- B. The following uses are prohibited as principal and accessory uses of the Property:

Automotive Sales	Residential Treatment
Campground	Veterinary Services
Exterminating Services	Club or Lodge
Funeral Services	Congregate Living
Kennels	Transitional Housing
Monument Retail Sales	Resource Extraction
Stone Yards and Grain Elevators	
Railroad Facilities (except Terminals and Light Rail)	

- C. The following uses are prohibited principal uses of the Property, but are permitted as accessory uses to office, light manufacturing, assembly, and warehousing and distribution principal uses:

Agricultural Sales and Services  
Automotive Rentals  
Automotive Repair Services  
Automotive Washing (of any type)  
Art & Craft Studio  
(Limited, General & Industrial)  
Construction Sales & Services  
Convenience Storage  
Equipment Repair Services  
Equipment Sales  
General Warehousing & Distribution

Laundry Services  
Basic Industry  
Outdoor Entertainment  
Scrap & Salvage  
Recycling Center  
  
Counseling Services  
Maintenance & Service Facilities  
Indoor Entertainment  
Vehicle Storage

### **Section 3. Site Development Regulations**

#### **A. Performance Standards**

Development of the Property shall conform with all applicable provisions of the PDA Planned Development Area performance standards established by Section 13-2-269 of the Land Development Code.

#### **B. Base District Regulations**

- 1) Development of the Property shall conform to the site development regulations authorized for the "IP" Industrial Park district as set forth in the Land Development Code, except as provided for in this ordinance.
- 2) Calculations for zoning impervious cover, building coverage, and floor-to-area ratios shall be based on the gross site area of the entire Property.
- 3) A site within the Property may extend across a public street or right-of-way.

#### **C. Buffers and Setbacks**

- 1) A 50-foot landscaped buffer zone shall be provided and maintained along the northern boundary of the Property adjacent to the Howard Lane/Dessau Road right-of-way in the area between Harris Ridge Boulevard and the western boundary of the residential lots west of Greinert Drive.
- 2) An 80-foot landscaped buffer zone shall be provided and maintained along the property line adjacent to Harris Ridge Boulevard from Josh Ridge Boulevard to

Howard Lane/Dessau Road. The buffer zone shall contain a four to six foot high undulating berm and a minimum of three shade trees and four ornamental trees per 100 linear feet along the Harris Ridge right-of-way. Construction of the berm shall begin prior to or concurrent with the construction of any building or parking lot within the area between Harris Ridge Boulevard and the existing row of trees located approximately 300 feet to 600 feet west of Harris Ridge Boulevard. Construction of the berm shall be diligently continued to completion.

Improvements permitted within the buffer zone shall be limited to fences, drainage, sidewalks, utility improvements and improvements that may be required by the City of Austin or that are specifically authorized by the site development regulations for the Property.

- 3) A 200-foot building setback shall be maintained from the existing right-of-way line of Harris Ridge Boulevard and between Howard Lane/Dessau Road and Parmer Lane. Improvements permitted within the setback shall be limited to fences, parking, driveways, landscaping, drainage, sidewalks, utility improvements and improvements that may be required by the City of Austin or that are specifically authorized by the site development regulations for the Property.
- 4) A 300-foot setback, inclusive of the 200-foot building setback established in Subsection C(3) of this section, shall be maintained along Harris Ridge Boulevard from Parmer Lane to Howard Lane/Dessau Road. No structure shall be built to a height greater than 37 feet within the area. Utility improvements may be constructed within the setback.
- 5) All distances shall be measured from the right-of-way lines that existed on November 14, 1997, or that are shown on the preliminary plan for Harris Ridge (City of Austin File No. C8-84-0150).

#### **Section 4. Landscaping**

##### **A. Street Yard Requirements**

Street yard requirement calculations shall be based on the gross site area of the entire Property. Alternative compliance for truck staging areas shall be allowed.

B. Tree Protection

The owner of the Property is not required to replace a tree that is less than 19 inches in diameter after the tree is removed. The owner of the Property is required to replace each tree that is 19 inches or greater in diameter inch for inch, after the tree is removed. A surveyed tree that is eight inches or greater in diameter that is permanently preserved within the Property shall be counted toward the replacement of a tree that is 19 inches or greater in diameter that is removed.

**Section 5. Transportation**

A. Traffic Impact Analysis

No traffic impact analysis shall be required in connection with any zoning, subdivision, site development permit, or other city permit or approval with respect to the Property. No off-site traffic improvements shall be required in connection with any development.

B. Access.

There shall be no curb cuts for vehicular access from the Property to Harris Ridge Boulevard between Josh Ridge Boulevard and Howard Lane. All vehicular access to the Property shall be from other adjacent public streets or through other portions of the Property.

C. Off-Street Parking

- 1) Off-street parking may be provided at any location on the Property, regardless of proximity to a particular building.
- 2) There shall be at least one off-street parking space per 300 square feet of office or administrative activity space designed for human occupancy. There shall be at least one off-street parking space per 1,000 square feet of indoor manufacturing space designed for human occupancy.
- 3) There shall be at least one off-street loading space per 140,000 square feet of occupied office, administrative, and indoor manufacturing space.
- 4) For manufacturing and related support and test/sort areas, the number of square feet in the unoccupied mechanical, electrical, machine, air return and interstitial,

utility, service and similar spaces shall not be included in determining parking and loading space computations.

- 5) Accessory uses, including kitchen, cafeteria, dining, auditorium and similar spaces, recreational facilities, and day-care center and other similar facilities, shall not be included in the areas used to determine the required parking and loading space computations.
- 6) Bicycle parking may be provided as deemed appropriate by the owner of the Property.

#### **Section 6. Water Quality**

- A. The Director of the Watershed Protection Utility ("Director") or its successor department may grant a variance to authorize up to 20 feet of cut and fill to construct parking areas, driveways, temporary spoil sites, buildings, and loading docks between buildings. The Director may grant a variance to authorize up to 12 feet of cut and fill to construct a landscape berm. The provisions of Section 13-2-506 of the City Code apply to the variances requested under this section.
- B. Existing stock ponds with wetland characteristics located on the Property may be removed if mitigation is provided. Mitigation may occur within on-site or off-site wet pond water quality controls within the same drainage area or an equivalent mitigation strategy approved by the Director may be used.

#### **Section 7. Master Plan**

The owner of the Property shall track zoning impervious cover, building coverage, floor to area ratios, street yard compliance and off-street parking as development occurs on the Property. Current data on the standards shall be provided with each site plan that is submitted to the City for approval.

#### **Section 8. Amendments to City Code**

If the City Code is amended to authorize the director of a City department to administratively approve an amendment to or variance of any matters contained herein, the Owner of the Property shall be entitled to obtain an amendment or variance through the administrative process and shall not be required to seek Planning Commission or City Council approval of the amendment or variance.



# Austin American-Statesman

PO#: 980430P  
Ad ID#: 5BM400600  
Acct#: 5124992499  
Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE  
PO BOX 1088  
AUSTIN, TX 78767

## AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS  
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis,  
State of Texas, on this day personally appeared:

SHARON JANIAK

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper  
published in said County and State that is generally circulated in Travis, Hays, Burnet  
and Williamson Counties, who being duly-sworn by me, states that the attached  
advertisement was published in said newspaper on the following dates, to wit:

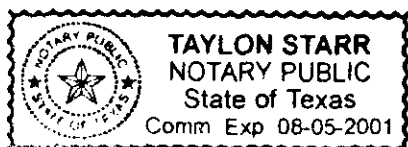
First Published:	5/14/98	Last Published:	5/14/98
Times Published:	1	Classification:	9980
Lines:	26	Cost:	\$72.54

and that the attached is a true copy of said advertisement.

ORDINANCE NO. 980430-P  
AN ORDINANCE REZONING AND  
CHANGING THE ZONING MAP AC-  
COMPANYING CHAPTER 13-2 OF  
THE CITY CODE ON APPROXIMATELY  
450 ACRES OF LAND OUT OF THE  
ALEXANDER WALTERS SURVEY NO.  
67 IN TRAVIS COUNTY, TEXAS FROM  
"U" LIMITED INDUSTRIAL DISTRICT  
AND "U-PDA" LIMITED INDUSTRIAL  
SERVICES DISTRICT-PLANNED DEVEL-  
OPMENT AREA COMBINING DIS-  
TRICT DEVELOPMENT RESERVE  
DISTRICT TO "U-PDA" LIMITED IN-  
DUSTRIAL SERVICES DISTRICT-  
PLANNED DEVELOPMENT AREA  
COMBINING DISTRICT, GENERALLY  
KNOWN AS THE DELL-PARMER  
NORTH DEVELOPMENT, LOCALLY  
KNOWN AS 301 EAST HOWARD  
LANE, IN THE CITY OF AUSTIN, TRAVIS  
COUNTY, TEXAS.

Mayor, Kirk Watson  
City of Austin

SWORN AND SUBSCRIBED TO BEFORE ME, this the 14<sup>th</sup> day of May 1998



Taylon Starr  
Notary Public in and for  
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541